

**IN THE CLAIMS:**

1. (Currently Amended) A semiconductor light emitting device having a luminous layer, comprising:

a light transmission layer disposed over a main surface of the luminous layer, and having depressions on a surface facing away from the luminous layer; and

a transmission membrane disposed on the light transmission layer so as to follow contours of the depressions, wherein

light from the luminous layer is irradiated so as to pass through the light transmission layer and the transmission membrane, wherein the transmission membrane contains a luminous substance that is excitable by the light from the luminous layer.

2. (Currently Amended) A semiconductor light emitting device according to Claim 1, wherein a surface of the transmission membrane facing away from the light transmission layer is substantially flat.

3. (Currently Amended) A semiconductor light emitting device according to Claim 1, wherein a main component of the transmission membrane is one of polyimide, epoxy, and silicone.

4. (Currently Amended) A semiconductor light emitting device according to Claim 1, wherein a main component of the transmission membrane is glass.

5. (Cancelled)

6. (Currently Amended) A semiconductor light emitting device according to Claim [[5]] 1, wherein the light from the luminous layer is converted into white light by passing through the transmission membrane.

7. (Currently Amended) A semiconductor light emitting device according to Claim [[5]] 1, irradiating white light generated by light from the luminous substance being excited mixing with the light from the luminous layer.

8. (Original) A semiconductor light emitting device according to Claim 1, wherein the depressions are at an interval equal to or greater than  $\lambda/4$ ,  $\lambda$  being a wavelength of the light from the luminous layer.

9. (Original) A semiconductor light emitting device according to Claim 1, wherein the light transmission layer is formed from at least a light transmission substrate, and

the luminous layer is sandwiched between a plurality of layers and is disposed over the light transmission substrate.

10. (Original) A semiconductor light emitting device according to Claim 9, wherein the depressions are on a main surface of the light transmission substrate facing away from the luminous layer.

11. (Original) A semiconductor light emitting device according to Claim 9, wherein the light transmission substrate is made of a material having a refractive index that is substantially equal to a refractive index of the luminous layer.

12. (Original) A semiconductor light emitting device according to Claim 11, wherein the material for the light transmission substrate is selected from a group of GaN, SiC, and AlN.

13. (Original) A semiconductor light emitting device according to Claim 9, wherein a reflective film is disposed on a surface of the luminous layer facing away from the light transmission layer.

14. (Original) A semiconductor light emitting device according to Claim 1, being a light emitting diode device.

15. (Original) A semiconductor light emitting device according to Claim 1, being a Vertical Cavity Surface Emitting Laser device.

16. (Original) A semiconductor light emitting device according to Claim 1, being a Resonant Cavity Light Emitting Diode device.

17. (Original) A semiconductor light emitting device according to Claim 1, being a Surface Mount Device.

18.-30. (Cancelled)

31. (New) A semiconductor light emitting device having a luminous layer, comprising:

a light transmission layer disposed over a main surface of the luminous layer, and having depressions on a surface facing away from the luminous layer; and

a transmission membrane disposed on the light transmission layer so as to follow contours of the depressions, wherein

light from the luminous layer is irradiated so as to pass through the light transmission layer and the transmission membrane, wherein the light transmission layer is formed from at least a light transmission substrate, and

the luminous layer is sandwiched between a plurality of layers and is disposed over the light transmission substrate.

32. (New) A semiconductor light emitting device according to Claim 31, wherein the depressions are on a main surface of the light transmission substrate facing away from the luminous layer.

33. (New) A semiconductor light emitting device according to Claim 31, wherein the light transmission substrate is made of a material having a refractive index that is substantially equal to a refractive index of the luminous layer.

34. (New) A semiconductor light emitting device according to Claim 33, wherein the material for the light transmission substrate is selected from a group of GaN, SiC, and AlN.

35. (New) A semiconductor light emitting device according to Claim 31, wherein a reflective film is disposed on a surface of the luminous layer facing away from the light transmission layer.

36. (New) A semiconductor light emitting device according to Claim 31, being a light emitting diode device.

37. (New) A semiconductor light emitting device according to Claim 31, being a Vertical Cavity Surface Emitting Laser device.

38. (New) A semiconductor light emitting device according to Claim 31, being a Resonant Cavity Light Emitting Diode device.

39. (New) A semiconductor light emitting device according to Claim 31, being a Surface Mount Device.

40. (New) A semiconductor light emitting device according to Claim 31, wherein a surface of the transmission membrane facing away from the light transmission layer is substantially flat.

41. (New) A semiconductor light emitting device according to Claim 31, wherein a main component of the transmission membrane is one of polyimide, epoxy, and silicone.

42. (New) A semiconductor light emitting device according to Claim 31, wherein a main component of the transmission membrane is glass.

43. (New) A semiconductor light emitting device according to Claim 31, wherein the transmission membrane contains a luminous substance that is excitable by the light from the luminous layer, and the light from the luminous layer is converted into white light by passing through the transmission membrane.

44. (New) A semiconductor light emitting device according to Claim 31, wherein the transmission membrane contains a luminous substance, that is excitable by the light from the luminous layer, to emit light that then mixes with the light from the luminous layer to provide a combined white light emission layer from the semiconductor light emitting device.

45. (New) A semiconductor light emitting device according to Claim 31, wherein the depressions are at an interval equal to or greater than  $\lambda/4$ ,  $\lambda$  being a wavelength of the light from the luminous layer.